

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PUBLIC EMPLOYEES' RETIREMENT SYSTEM :
OF MISSISSIPPI, et al., :

Plaintiffs, :

-v- :

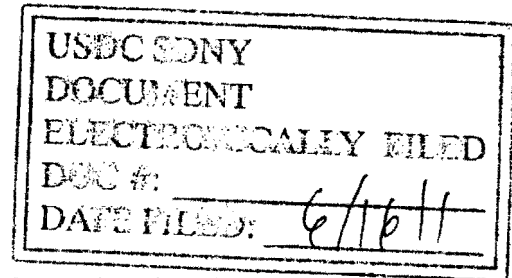
MERRILL LYNCH & CO., INC., et al., :

Defendants. :
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08 Civ. 10841 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.



On March 23, 2011, lead plaintiff the Mississippi Public Employees' Retirement System and additional named plaintiffs the Los Angeles County Employees Retirement Association, the Wyoming State Treasurer, the Connecticut Carpenters Pension Fund, and the Connecticut Carpenters Annuity Fund (collectively, "Plaintiffs") moved pursuant to Rules 23(a) and 23(b)(3) of the Federal Rules of Civil Procedure for an Order certifying the above-captioned action as a class action on behalf of the following proposed class:

All persons or entities who purchased or otherwise acquired Merrill Lynch Alternative Note Asset Trust Series 2007-A3, 2007-AF1, 2007-F1, Merrill Lynch First Franklin Mortgage Loan Trust Series 2007-2, 2007-3, 2007-4, 2007-A, Merrill Lynch Mortgage Investors Trust Series 2006-MLN1, 2006-FM1, 2006-FF1, 2006-RM5, MLCC 2006-2, 2006-AHL1, 2006-RM3, 2006-WMC1, 2006-WMC2, 2006-A1, Ownit Mortgage Loan Trust Series 2006-2 and who were damaged thereby. Excluded from the Class are Defendants and their respective officers, affiliates and directors at all relevant times, members of their immediate families and their legal representatives, heirs, successors or assigns and any entity in which Defendants have or had a controlling interest.

See Notice of Motion for Class Certification and Appointment of Class Representatives and Class Counsel. Plaintiffs also moved for an Order appointing Plaintiffs as class representatives with Bernstein Litowitz Berger & Grossmann LLP as class counsel. Id.

Defendants filed papers in opposition to the motions on April 15, 2011, plaintiffs filed reply papers on April 29, 2011, and the Court heard oral argument on both May 9, 2011 and May 10, 2011. After careful consideration, and for reasons that will be stated in a forthcoming written opinion, the Court hereby grants both motions. Plaintiffs' proposed class is hereby certified, and Plaintiffs are appointed as class representatives with Bernstein Litowitz Berger & Grossmann LLP as class counsel. The case will proceed as a class action in accordance with the Court's December 9, 2010 scheduling Order.

SO ORDERED.


JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
June 15, 2011